

012804  
22783 U.S.PTO

PTO/SB/05 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. B0410/7283D1

First Inventor John A. Ahern

Title DEVICES AND METHODS FOR TREATING TISSUE

Express Mail Label No. EV340040275US

APPLICATION ELEMENTS	
See MPEP chapter 600 concerning utility patent application contents.	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	
3. <input checked="" type="checkbox"/> Specification [Total Pages 40] (preferred arrangement set forth below)	
<ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C.113) [Total Sheets 10]	
5. Oath or Declaration [Total Sheets 2]	
<ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed)</li> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul>	
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	

ADDRESS TO:	
Commissioner for Patents Mail Stop Patent Application P.O. Box 1450 Alexandria VA 22313-1450	
7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
<ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> <li>b. Specification Sequence Listing on:           <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </li> <li>c. <input type="checkbox"/> Statements verifying identity of above copies</li> </ul>	

ACCOMPANYING APPLICATIONS PARTS	
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
10. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement	<input type="checkbox"/> Power of Attorney (when there is an assignee)
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13. <input checked="" type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.	
17. <input checked="" type="checkbox"/> Other: <u>check for \$1,000.00</u>	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation       Divisional       Continuation-in-part (CIP)

of prior application No: 09/ / 328,808

Prior application information: Examiner Suzette Jamie Jackson

Art Unit: 3738

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	022832	or <input type="checkbox"/> Correspondence address below (Insert Customer No. or Attach bar code label here)
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	John F. Perullo	Registration No. (Attorney/Agent)	39,498
Signature			Date
			January 28, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

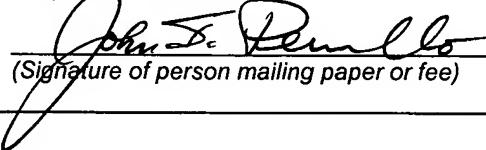
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT  
ATTORNEY'S DOCKET NO.: B0410/7283D1

Express Mail mailing label number EV340040275US Date of Deposit: January 28, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Patent Application, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

John F. Perullo  
(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

TRANSMITTED HEREWITH FOR FILING IS A PATENT APPLICATION OF:

INVENTOR(S): JOHN E. AHERN

FOR: DEVICES AND METHODS FOR TREATING TISSUE

ENCLOSED ARE:

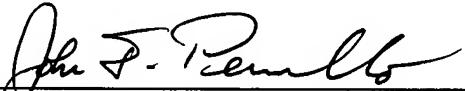
- UTILITY PATENT APPLICATION TRANSMITTAL
- APPLICATION DATA SHEET
- PRELIMINARY AMENDMENT
- A SPECIFICATION AND CLAIMS INCLUDING 40 PAGES
- COPY OF DECLARATIONS AND POWER OF ATTORNEYS  
(FROM PARENT APPLICATION 09/328,808)
- TEN (10) SHEETS OF FORMAL DRAWINGS (FIGS.1-15C)
- INFORMATION DISCLOSURE STATEMENT AND PTO FORM 1449, IN DUPLICATE)

CLAIMS AS FILED					
FOR	NUMBER FILED		NUMBER EXTRA	RATE	BASIC FEE
TOTAL CLAIMS	28	-20	8	X \$18.00	\$770.00
INDEPENDENT CLAIMS	4	-3	1	X \$86.00	\$ 86.00
				TOTAL FILING FEE	\$1,000.00

A CHECK IN THE AMOUNT OF \$1,000.00 TO COVER THE FILING FEE IS  
ENCLOSED.

PLEASE CHARGE OUR DEPOSIT ACCOUNT NO. 50-1721 IN THE AMOUNT  
OF \$                   . A DUPLICATE COPY OF THIS SHEET IS  
ENCLOSED.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY  
ADDITIONAL FEES WHICH MAY BE REQUIRED, OR CREDIT ANY  
OVERPAYMENT TO ACCOUNT NO. 50-1721. A DUPLICATE COPY OF THIS  
SHEET IS ENCLOSED.

  
\_\_\_\_\_  
JOHN F. PERULLO  
REGISTRATION NO. 39,498  
KIRKPATRICK & LOCKHART LLP  
75 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1808  
TEL: (617) 261-3100  
CUSTOMER NO.: 022832  
ATTORNEYS OF RECORD

DOCKET NO.: B0410/7283D1

DATE: JANUARY 28, 2004